

REMARKS**I. Claims in the Case**

Claims 1-7, 9, 12-18, 21-22, and 24-29 are canceled. Claims 8, 10 and 11 have been amended. Claims 8, 10-11, 19-20, 23 and 30 are pending.

II. Written Description Rejections

With respect the written description concerns, the claims are now all directed to transgenic fish having the zebrafish MLC2 promoter as defined by SEQ ID NO:22. This should address the Examiner's written description concerns.

III. Rejections Under 35 U.S.C. 112, Second Paragraph

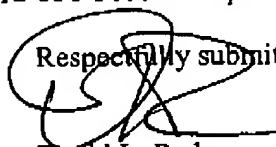
Regarding "ornamental fish" found in claims 19-21, Applicants reiterate their previous arguments and incorporate by reference the arguments and evidence set forth in previous responses. The Examiner is earnestly requested to reconsider and withdraw this rejection for reasons previously submitted.

CONCLUSION

Applicants believe that the foregoing remarks fully respond to all outstanding matters for this application. Applicants respectfully request that the rejections of all claims be withdrawn so they may pass to issuance.

Should the Examiner desire to sustain any of the rejections discussed in relation to this Response, the courtesy of a telephonic conference between the Examiner, the Examiner's supervisor, and the undersigned attorney at 512-536-3055 is respectfully requested.

Respectfully submitted,



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